

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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AFFYMETRIX, INC., :
: Plaintiff, : No. 03 civ. 8907 (RJS)
: v. : **ECF Case**
: ENZO BIOCHEM, INC., *et al.*, :
: Defendants. :
:-----x
ENZO LIFE SCIENCES, INC., :
: Plaintiffs, : No. 04 civ. 1555 (RJS)
: v. : **ECF Case**
: AFFYMETRIX, INC., :
: Defendant. :
:-----x

**NOTICE OF SUBPOENAS TO THE LISTED THIRD PARTIES
FOR DEPOSITIONS AND THE PRODUCTION OF DOCUMENTS**

PLEASE TAKE NOTICE in accordance with Rule 45 of the Federal Rules of Civil Procedure, Plaintiffs will serve subpoenas to take depositions upon oral examination of the persons and entities listed on the attached schedule at the location and time indicated, through the officer(s), director(s), agent(s), or such other person(s) with the most knowledge concerning the topics listed on Schedule B of the subpoenas. The depositions will take place before a notary public or other officer authorized to administer oaths and record testimony pursuant to Rule 28 of the Federal Rules of Civil Procedure, and will be recorded by stenographic means. The

depositions will continue from day to day until complete, excluding Saturdays, Sundays and holidays.

PLEASE TAKE FURTHER NOTICE in accordance with Rule 45 of the Federal Rules of Civil Procedure, the entities listed on the attached schedule will be required to produce and permit inspection and copying of the materials designated in Schedule A to the subpoenas at the location and time indicated, or at such other place mutually agreed upon by the parties. Copies of the subpoenas are attached hereto.

Dated: New York, New York
February 25, 2014

COUSINS CHIPMAN & BROWN, LLP

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